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August 24, 2016

Via ECF

Honorable Gabriel W. Gorenstein, U.S.M.J.
U.S. District Court
500 Pearl Street
New York, NY 10007

Re: Maldonado et al v. El Aguila Lex, LLC et al
Case No.: 1:15-cv-09306 (AJN-GWG)

Dear Judge Gorenstein:

This office represents Defendants in the above referenced matter. I write to provide Defendants' response to the discovery disputes raised in Plaintiff's August 19, 2016 letter. A conference is scheduled before Your Honor for Friday August 26, 2016 at 10:30 a.m. to address the discovery dispute.

Your Honor entered an Order on August 22, 2016 providing that Defendants were to provide a response to the discovery disputes raised in the August 19, 2016 letter in accordance with Paragraph 2.A of the Court's Individual Practices. Please accept this letter as Defendants' response to the August 19, 2016 discovery dispute letter.

I acknowledge that Defendants' response to the discovery disputes raised in the letter from Plaintiff's counsel dated August 19, 2016 was due yesterday. I have been working with my clients to obtain and provide responses to all of the issues raised in the August 19th letter, and specifically advised my clients that I needed to receive all requested information and documents by 10:00 a.m. yesterday, in order to timely prepare and provide to Plaintiff's counsel yesterday a

response to the August 19th letter, as well as prepare and file with the Court the response that was due yesterday. I emphasized that I needed the information by 10:00 a.m. yesterday, in order to prepare the responses, as I had to leave the office at 1:30 p.m. to travel to and attend a hearing in the S.D.N.Y. in White Plains, New York. While I did receive some information and documents from the clients, it was incomplete and insufficient to provide a response to Plaintiff's attorney and prepare and file a response with the Court. Even as I was out of the office today at a deposition, several of my legal assistants have been in constant communication with the clients today, and I remained in constant communication with my staff throughout the day.

Obtaining and assembling the information to respond to Plaintiff's August 19th discovery deficiency letter and prepare and file a response by the Court has been complicated by the fact that neither of the individual defendants Pedro Matar or Fernando Matar read or speak English, and therefore designated a bilingual employee as the "contact" person for me to communicate with. Until recently, an employee, Jonathan Jimenez, was the designated contact person, and it was through communications with Mr. Jimenez that I obtained information and documents for the discovery responses that were provided to Plaintiff's counsel on or about August 12, 2016. Mr. Jimenez recently left the employ of the Defendants, and another employee, Yulissa Rivera, has been designated as the new contact person.

Since Ms. Rivera is "new" to the role of designated contact person for the litigation, I essentially had to "start from scratch" with Ms. Rivera to respond to Plaintiff's discovery deficiency letter. Despite continual communication with Ms. Rivera by myself and my staff, I was not able to obtain all of the information needed to respond to Plaintiff's letter, and prepare a response to file with the Court by yesterday's due date. For these reasons, I respectfully request that Your Honor accept this response although submitted after yesterday's due date.

The Order entered on August 22, 2016 provides that the discovery disputes raised in the August 19, 2016 are the only issue that will be decided at the conference on August 26, 2016,

and this letter is limited to responding to the discovery disputes raised in the August 19, 2016. Plaintiff has also filed a Motion for Sanctions for Failure to Provide Discovery. It is my understanding that the Motion Sanctions for Failure to Provide Discovery will not be addressed at the conference on August 26, 2016, and that Defendants' response to the Motion for Sanctions for Failure to Provide Discovery is not intended to be addressed by this letter, which is submitted in compliance with the Order entered on August 22, 2016. I will be filing separately Opposition to the Motion for Sanctions for Failure to Provide Discovery.

I enclose herewith my letter of today's date to Plaintiff's counsel responding to each and every discovery dispute issue raised in the letter of August 19, 2016. (**Exhibit A**). I have not included the voluminous enclosures to the letter to Plaintiff's counsel. Your Honor entered an Order on August 22, 2016 providing that Defendants were to provide a response to the discovery disputes raised in the August 19, 2016 letter in accordance with Paragraph 2.A of the Court's Individual Practices. Please accept this letter as Defendants' response to the August 19, 2016 discovery dispute letter.

I respectfully submit that the enclosed letter to Plaintiff's counsel is a full and complete response to each and every discovery dispute issue raised in the letter of August 19, 2016.

Thank you for your consideration of this matter.

Respectfully submitted,

Michael K. Chong

Michael K. Chong, Esq.

MKC/
Attach.

cc: Taimur Alamgir, Esq.
C.K. Lee, Esq.
Via ECF